

PROB 12B  
(7/93)

Report Date: February 24, 2011

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

**FEB 25 2011**

**Eastern District of Washington**

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Jaime Ryan Leyva

Case Number: 2:08CR00019-002

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 2/8/2010

Type of Supervision: Supervised Release

Original Offense: Possession With Intent to  
Distribute Cocaine, 21 U.S.C. § 841(a)(1)

Date Supervision Commences: 3/5/2011

Original Sentence: Prison - 366 Days; TSR - 36  
Months

Date Supervision Expires: 3/4/2014

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

Change special condition number 14, to read as follows: You shall participate in the home confinement program for a period of up to 60 days. You shall abide by all the requirements of the program, which will include location monitoring. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for job searching, education, religious services, medical, or other activities as preapproved by the supervising officer. Upon securing gainful employment, your supervising officer may terminate you from the home confinement program.

**CAUSE**

On February 8, 2010, the defendant appeared in Court for sentencing for the crime of possession with intent to distribute cocaine. He was sentenced to 12 months plus 1 day in prison with 36 months of supervised release to follow. In addition to the defendant's standard conditions of supervision, the Court added special condition number 14, which requires that he reside at a residential reentry center (RRC) for a period of up to 180 days.

On October 13, 2010, Mr. Leyva arrived at the Pioneer RRC in Spokane to serve out the remaining balance of his prison sentence. On January 29, 2011, RRC staff placed the defendant on their home confinement program so he could release to his approved residence in Toppenish, Washington, and begin job searching. Mr. Leyva is scheduled to complete his home confinement program on March 5, 2011, at which time his term of supervised release will commence. It should also be noted that the defendant appears to be interested in participating in the Sobriety Treatment and Education

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Program (STEP) upon commencing his term of supervision.

Based on the above information, it is respectfully requested that special condition number 14 be modified as noted above so Mr. Leyva can remain in the community.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

2/24/11

*Sara Vargas*

U.S. Probation Officer

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**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

*Edward F. Shea*

Signature of Judicial Officer

*February 25, 2011*

Date

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

Change special condition number 14, to read as follows: You shall participate in the home confinement program for a period of up to 60 days. You shall abide by all the requirements of the program, which will include location monitoring. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for job searching, education, religious services, medical, or other activities as preapproved by the supervising officer. Upon securing gainful employment, your supervising officer may terminate you from the home confinement program.

Witness:



U.S. Probation Officer

Signed:



Jaime Ryan Leyva  
Probationer or Supervised Releasee

February 24, 2011

Date